

## CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 6/14/2012

Action Requested By:

Community  
Development

Agenda Item Type

Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 48 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the June 14, 2012, City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 6/6/2012

**RESOLUTION NO: 12-\_\_\_\_\_**

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

**WHEREAS**, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

**WHEREAS**, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

**BE IT FURTHER RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294** " on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

**ADOPTED** this the 14th day of June, 2012.

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President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 14th day of June, 2012.

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Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 12- \_\_\_\_\_

Attachment A, Page 1

LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>   | <u>Property Location<br/>and Description</u>   | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|---|--|----------------------------|---------------------------|
| (Heirs of) Beatrice<br>Grizzard aka<br>Beatrice Hampton<br>(Deceased) c/o Alma<br>Jones Acklin c/o<br>Sonja Lynn Acklin<br>2106 Seminole Dr.<br>Huntsville, AL<br>35805 | 2851 Greenside Dr NW<br>LOT 26 BLK 4 COUNTRY<br>CLUB PARK S/D  | 5-9-2012                   | \$210.72                  |
| ADTEC PROPERTIES<br>LLC. Hall B. Bryant<br>III<br>423 Eustis Ave.<br>Huntsville, AL<br>35801  | Vacant lot at the<br>northeast corner of<br>Lodge Rd and Durinda Ln<br>NW<br>LOT 10 BL 5 GROVE PARK<br>1ST ADD PB 5 PG 125 | 5-8-2012                   | \$210.72                  |
| Alexander D. Suttle<br>P. O. Box 392<br>Tuscumbia, AL 35674   | 2116 WEDGEWOOD DR NW<br>LOT 19 BL 6 ARDMORE ESTS<br>7TH ADD  | 5-15-2012                  | \$259.91                  |
| Alice Faye Holmes<br>3901 Lakeview Dr.,<br>NW<br>Huntsville, AL<br>35810  | 3901 Lakeview Dr NW<br>LOT 9 BLK 26 LAKEWOOD<br>MANOR 6TH ADD DB 676/428<br>7/2/86   | 5-11-2012                  | \$197.97                  |
| Alvin & Sharon<br>Horton<br>3747 South Wilton<br>Place<br>Los Angeles, CA<br>90018  | 1742 Dekathalon Way NW<br>LOT 7 BLK 1 STANLEY<br>ESTATES A RESUB OF TRACT<br>2 EXECUTIVE HILL S/D PB<br>11 PG 39           | 5-9-2012                   | \$210.72                  |

LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>  | <u>Property Location<br/>and Description</u>  | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|--|---|----------------------------|---------------------------|
| BAC Home Loans<br>Servicing, LP c/o<br>Hooks Van Holm, Inc.<br>8010 Roswell Rd.,<br>(Ste. 100)<br>Atlanta, GA 30350  | 2219 WIMBERLEY RD NW<br>W1/2 OF LOT 11 & LOT 10<br>BL 1 WESTCHESTER S/D 1ST<br>SEC  | 5-4-2012                   | \$282.16                  |
| Bank of New York<br>Mellon c/o America<br>Mortgage Service,<br>Inc.<br>6501 Irvine Center<br>Dr.<br>Irvine, CA 72618 | 3406 Conger Rd SW<br>LOT 2 BL 15 TRIANA<br>VILLAGE 2ND ADD  | 5-9-2012                   | \$259.91                  |
| Bellsouth Mobility<br>LLC, d/b/a Cingular<br>Wireless<br>P. O. Box 97061<br>Redman, WA 98073                         | 212 CRAWFORD ST NW<br>LOT 14 BROWN & WINDSTON<br>ADD  | 5-2-2012                   | \$197.97                  |
| Billy C. Jarratt,<br>Jr.<br>2004 Hill St., NW<br>Huntsville, AL<br>35810   | 2210 Hill St NW<br>LOT IN SEC 27 BEING IN<br>NE1/4 BEG AT INT OF E<br>BDY OF PUL PK WITH N BDY<br>OF OAKWOOD RD TH E WDLY<br>ALONG N BDY OF OAKWOOD<br>415.4 FT TO E BDY OF<br>HILL ST TH N WDLY 894 FT<br>AL E BDY OF HILL ST TO<br>PT OF TR BEG TH W 150 FT<br>TH N 50 FT TH E 150 FT<br>TH S 50 FT TO BEG SEC 27<br>T3 R1W | 4-30-2012                  | \$197.97                  |
| Brian T. Scott &<br>Karisa E. Scott<br>105 Fernwood Cir.,<br>NW<br>Madison, AL 35757                                 | 105 FERNWOOD CIR NW<br>LOT 33 BLK 13 KNOX CREEK<br>3RD ADD PB 22 PG 56/57/58  | 5-15-2012                  | \$259.91                  |

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|---|--|----------------------------|---------------------------|
| CADENCE BANK f/k/a<br>Superior Bank-NA<br>312 Clinton Ave., W<br>Huntsville, AL<br>35801                    | 2466 Mount Vernon Rd NW<br>LOT 42 BL 3 MT VERNON<br>HGTS 3RD ADD PB 4 PG 12  | 5-11-2012                  | \$259.91                  |
| Caffey Enterprises,<br>LLC<br>3920 Meridian St.<br>Huntsville, AL<br>35811                                  | 101 Whitney Ave NE<br>LOT 1 BL A EDMONTON<br>HEIGHTS S/D PART A DB<br>1004/292 9/19/2001   | 5-8-2012                   | \$197.97                  |
| Carrie L. Green<br>F/K/A Carrie L.<br>Curry<br>2514 Clovis Rd., SW<br>Huntsville, AL<br>35803               | 2514 Clovis Rd SW<br>LOT 2 BLK 2 AUTUMN RIDGE<br>2ND ADD   | 5-10-2012                  | \$282.16                  |
| Dane G. Dewberry,<br>Sr. & Theresa A.<br>Dewberry<br>2504 Mastin Lake<br>Rd., NW<br>Huntsville, AL<br>35810 | 2504 Mastin Lake Rd NW<br>LOT 21 BL 27 LAKEWOOD<br>MANOR 7TH ADD PB 2 PG 1   | 5-2-2012                   | \$259.91                  |
| Dean L. Halbert<br>3609 McVay St., SW<br>Huntsville, AL<br>35805  | 3609 McVay St SW<br>BEG AT SW COR SEC 10 TH<br>E 320 FT TH N 970 FT TO<br>TRUE BEG TH N 50 FT TH E<br>165 FT TH S 50 TH W 165<br>FT TO BEG SEC 10 T4 R1W | 5-9-2012                   | \$197.97                  |

RESOLUTION NO: 12-\_\_\_\_\_

Attachment A, Page 4

LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>  | <u>Property Location<br/>and Description</u>  | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|--|---|----------------------------|---------------------------|
| Delores D. Harris<br>2600 Pulaski Pke., NW<br>Huntsville, AL<br>35810  | 2602 Pulaski Pke NW<br>BEG 302.6 FT S & 1190 FT<br>W OF NE COR OF SEC 27 TH<br>S 160 FT TH W 85.5 FT TO<br>E MAR OF PUL PK TH N 12<br>DEG W 163 FT TH E 121.2<br>FT CONTA .38 AC ML EX 20<br>FT TAKEN EVENLY OFF THE<br>S SIDE THE RE OF SEC 27<br>T3 R1W   | 4-30-2012                  | \$246.44                  |
| Esteban Garcia<br>Cadenas<br>3511 Delta Ave., NW<br>Huntsville, AL<br>35810                                  | 3511 Delta Ave NW<br>LOT 17 BLK 12 OAKMONT<br>S/D 3RD ADD   | 5-1-2012                   | \$274.16                  |
| Evelyn L. Burress<br>c/o Timothy Sullivan<br>3100 Teton Dr.<br>Huntsville, AL<br>35810                       | 603 Merry Oaks Cir NW<br>LOT 12 BL 3 MERRY OAKS<br>2ND ADD  | 5-10-2012                  | \$197.97                  |
| Grimmer Realty Co.,<br>Inc. c/o Samuel A.<br>Grimmer<br>200 Green Springs<br>Hwy.<br>Birmingham, AL<br>35209 | Vacant property north of<br>1616 Pulaski Pike NW<br>PT OF SW1/4 OF SEC 26<br>BEG 1741.1 FT W & N 36<br>DEG W 267.7 FT FR CEN OF<br>S BDRY OF SEC 26 TH N 37<br>DEG W ALONG PULASKI PIKE<br>204.2 FT TH N 52 DEG E<br>187.5 FT TH S 37 DEG E<br>85 FT TH N 52 DEG E 12.5<br>FT TH S 37 DEG E 126.1<br>FT TH S 53 DEG W 200 FT<br>TO BEG EX S 150 FT SEC<br>26 T3 R1W | 4-30-2012                  | \$210.72                  |

LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>  | <u>Property Location<br/>and Description</u>  | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|--|---|----------------------------|---------------------------|
| Henry Earl Jordan<br>(Heirs of) c/o<br>Ester Rice<br>202 St. Clair Ave.,<br>NW (Unit D)<br>Huntsville, AL<br>35801 | 1513 Beard St NW<br>LOT 7, BLK 3 WELLS ADD<br># 2   | 5-15-2012                  | \$210.72                  |
| Hinomoto Realty,<br>Inc. c/o Timothy B.<br>Crowson<br>183 Shelton Rd.<br>Madison, AL 35758                         | 2007 UNIVERSITY DR NW<br>OR .32a M/L DB 857/671<br>6/27/95  | 5-9-2012                   | \$259.91                  |
| Howard Luther<br>Hicks, Jr.<br>3215 Wildwood Dr.,<br>SE<br>Huntsville, AL<br>35801                                 | 3215 Wildwood Dr SE<br>LOTS NUMBERED 33, 34,<br>AND 35 OF BLOCK "D"<br>ACCORDING TO THE PLAT OF<br>THE FIRST DIVISION OF<br>LOTS OF MOUNTAIN HEIGHTS<br>DEVELOPMENT COMPANY | 5-10-2012                  | \$259.91                  |
| Hyo Sook Heo<br>2425 Winding Brook<br>Ct.<br>Rochester, MI<br>48309-4731   | Vacant lot east of 1009<br>Meadow Dr NW<br>LOT 10 BL 10 TERRY HGTS<br>ANNEX 3RD ADD   | 5-15-2012                  | \$210.72                  |
| James & Myra Johnson<br>119 Misty Morn Ln.<br>Huntsville, AL<br>35811  | 903 PARKLANE AVE NW<br>LOT 10 BL 4 F K NOOJINS<br>HILLANDALE ADD  | 5-2-2012                   | \$259.91                  |

LOTS CUT BY CITY

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|---|--|----------------------------|---------------------------|
| Jamie D. Cutten<br>f/k/a Jamie D.<br>Smithey<br>14015 Hurstland<br>Dr., SW<br>Huntsville, AL<br>35803 | 14015 HURSTLAND DR SW<br>LOT 7 BLK 3 GREEN COVE<br>MEADOWS S/D   | 5-8-2012                   | \$259.91                  |
| Jimmy Allen<br>2429 Vining Ave., NW<br>Huntsville, AL<br>35810  | 2429 Vining Ave NW<br>LOT 20 BL 3 MEADOW HILLS<br>PT B DB 858/765 8/1/95   | 5-8-2012                   | \$282.16                  |
| John & Elizabeth<br>Daniel<br>901 Magnolia Dr., NW<br>Huntsville, AL<br>35816                         | 901 Magnolia Dr NW<br>LOT 19 & 18 BL 3 TERRY<br>HGTS ADD   | 5-15-2012                  | \$259.91                  |
| Joseph W. Merrell<br>3217 Clifford Rd.<br>Huntsville, AL<br>35810                                     | 1512 McCrary St NW<br>LOT NUMBER FIVE (5) IN<br>BLOCK EIGHT (8), WELLS<br>SECOND ADDITION, AS<br>RECORDED IN PLAT BOOK 1,<br>PAGE 115, PROBATE<br>RECORDS OF MADISON<br>COUNTY, ALABAMA. | 5-4-2012                   | \$246.44                  |
| Louis E. & Patricia<br>A. Thacker<br>606 Mastin Lake Rd.<br>Huntsville, AL<br>35811                   | 3100 Normandale Dr NW<br>LOT 8 BL 2 NORMANDALE S/D   | 5-1-2012                   | \$274.16                  |



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|---|---|----------------------------|---------------------------|
| Lucius T. & Joy A.<br>Moss<br>4302 Chalet Cir., NW<br>Huntsville, AL<br>35810                 | Vacant lot at southeast<br>corner of Lodge Rd and<br>Delicado Dr NW (3221<br>Delicado Dr NW)<br>LOT 1 BLK 5 GROVE PARK<br>2ND ADD SUV DB 705/1135<br>11/12/87   | 5-8-2012                   | \$210.72                  |
| Lynn R. Purser and<br>Sandra C. Purser<br>2503 Hermosa Cir.,<br>SW<br>Huntsville, AL<br>35803 | 2503 Hermosa Cir SW<br>LOT 6, BLK 4, SANDHURST<br>PARK S/D  | 5-8-2012                   | \$228.94                  |
| Malcolm White<br>5007 Hemingford Ct.<br>Palmetto, FL 34221                                    | Vacant property west of<br>2732 Clayton Dr NW<br>PT OF NE1/4 OF NE1/4 OF<br>SEC 27 DESC AS BEG S<br>468.4 FT & W 483.4 FT S<br>116.09 FT & W 405 FT & W<br>100 FT FR NE COR SEC 27<br>TH W 80 FT TH N 115.90<br>FT TH E 80 FT TH S<br>115.68 FT TO BEG SEC 27<br>T3 R1W | 5-12-2012                  | \$210.72                  |
| Mercury Funding, LLC<br>P.O. Box 772837<br>Memphis, TN 38177                                  | 201 WALKER AVE NE<br>PT OF LOT 2 BL 320<br>WALKER ST EX N 15 FT   | 5-10-2012                  | \$197.97                  |
| Pamela J. Pridgen<br>100 Tweed Dr.<br>Madison, AL 35758                                       | 2509 Rochell Dr NW<br>LOT 8 BL 2 STILWELL S/D<br>3RD ADD  | 4-30-2012                  | \$259.91                  |

LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>   | <u>Property Location<br/>and Description</u>  | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|---|---|----------------------------|---------------------------|
| Pedro Gutierrez<br>11243 Lakeland Rd.<br>Norwalk, CA 90650                                      | 1612 Calvary St NW<br>SEC 35 T3S R1W BEG 385<br>FT E OF NW COR OF SEC 35<br>TH S 60 FT TH E 105.7 FT<br>TH N 6 DEG W 60.9 FT TH<br>W 97.5 FT TO BEG BEING<br>ALSO KNOWN AS LOT 7 BLK<br>3 CARROLL ADD TO HVILLE | 5-4-2012                   | \$210.72                  |
| Quashana Shante &<br>Wilfred C. Stewart<br>412 Marguerite Dr.,<br>NW<br>Huntsville, AL<br>35805 | 412 Marguerite Dr NW<br>LOT 8 BL 4 ALYNEDALE S/D<br>PB 2 PG 157   | 5-9-2012                   | \$259.91                  |
| Robert & Vanessa<br>Steger<br>3217 Delicado Dr.,<br>NW<br>Huntsville, AL<br>35810               | 3217 Delicado Dr NW<br>LOT 3 BLK 5 GROVE PARK<br>2ND  | 5-9-2012                   | \$282.16                  |
| Rosemary J. King<br>3704 Triana Blv., SW<br>Huntsville, AL<br>35805                             | 3704 Triana Blv SW<br>LOT 4 BLK 19 HVILLE PARK<br>S/D PB 1 PG 216   | 5-9-2012                   | \$197.97                  |
| Rufus Anthony Foxx<br>& Theresa Foxx<br>3201 Delia Ln., NW<br>Huntsville, AL<br>35810           | 3201 DELIA LN NW<br>LOT 13 BL 3 GENTILY<br>FOREST   | 4-30-2012                  | \$228.94                  |

RESOLUTION NO: 12- \_\_\_\_\_

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LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>  | <u>Property Location<br/>and Description</u>  | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|--|---|----------------------------|---------------------------|
| SECRETARY OF<br>HOUSING & URBAN<br>DEVELOPMENT<br>Beacon Ridge Tower,<br>STE 300<br>600 Beacon Parkway<br>West<br>Birmingham, AL<br>35209-3144 | 3806 Oakwood Ave NW<br>A RECTANGULAR TR OF LD<br>100 FT IN WIDTH BORDER N<br>SIDE OF OAKWOOD AVE &<br>150 FT DEEP BEING DES AS<br>W 100 FT & S 150 FT OF<br>LOT 1 BL 1 HIGHLANDS 2ND<br>ADD DB 973/326 06/23/2000 | 5-9-2012                   | \$246.44                  |
| Sergio Navarro<br>2009 Sewanee Rd.<br>Huntsville, AL<br>35801  | 182 Hollington Dr NE<br>LOT 6 CHASE SHADOW 8TH<br>ADD   | 5-10-2012                  | \$197.97                  |
| Shawn Ethredge<br>3905 Gunnison Ln.,<br>NW<br>Huntsville, AL<br>35810-   | 3905 Gunnison Ln NW<br>LOT 12, BLK 21,<br>HIGHLANDS S/D 6TH ADD   | 5-2-2012                   | \$228.94                  |
| Tillery Wilhite<br>3502 Clopton St., SW<br>Huntsville, AL<br>35805   | 4103 Kenwood Dr NW<br>LOT 14 BLK 22 LAKEWOOD<br>MANOR 2ND ADD   | 5-8-2012                   | \$274.16                  |
| Trina D. and Tracey<br>D. White<br>3404 Freda Ln., NW<br>Huntsville, AL<br>35810   | 3404 Freda Ln NW<br>LOT 3 BL 5 PINE HAVEN<br>S/D 2ND ADD  | 5-15-2012                  | \$197.97                  |
| Wellman &<br>Associates, Inc.<br>c/o Scott Anderson<br>4800 Whitesburg Dr.<br>(Ste. 30-152)<br>Huntsville, AL<br>35802                         | 2821 Union Dr NW<br>LOT 3 & W 20 FT OF LT 2<br>& BLK 9 TERRY HEIGHTS<br>ANNEX 3RD ADD PB 1 PG 173   | 5-15-2012                  | \$246.44                  |

RESOLUTION NO: 12- \_\_\_\_\_

Attachment A, Page 10

LOTS CUT BY CITY

| <u>Name and Address<br/>of Property Owner</u>                                   | <u>Property Location<br/>and Description</u>                       | <u>Date of<br/>Removal</u> | <u>Amount<br/>Charged</u> |
|---|--|----------------------------|---------------------------|
| William L. & Donna<br>D. Healy<br>1506 Owens Dr., SE<br>Huntsville, AL<br>35801 | 1506 OWENS DR SE<br>LOT 7 BL 2 MONTDALÉ S/D                        | 5-10-2012                  | \$259.91                  |
| William M. McBride<br>679 Carters Grove<br>Rd.<br>Toney, AL 35773               | 11823 West Gateway Dr SE<br>LOT 3 BLK 2 SUB:<br>REDSTONE HEIGHTS   | 5-10-2012                  | \$246.44                  |
| Wright Choice<br>Properties, LLC<br>P. O. Box 14164<br>Huntsville, AL<br>35815  | 2707 Ninth Ave SW<br>LOT 4, BLK 93 SUB:<br>LOWE CORP ADD EX W 5 FT | 5-8-2012                   | \$197.97                  |